

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN**

United States of America,  
Plaintiff,  
v.  
ANDY GEORGE,  
Defendant.

**ORDER OF DETENTION PENDING TRIAL**

Case Number: 10-20048

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

**Part I – Findings of Fact**

- ✓ (1) I find that:
- there is probable cause to believe that the defendant has committed an offense
  - for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or 846;
  - under 18 U.S.C. § 924(c).
- ✓ (2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

**Alternative Findings**

- ✓ I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear.
- ✓ I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

**Part II – Written Statement of Reasons for Detention**

- ✓ I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):
- ✓ (a) nature of the offense - This defendant is charged by indictment with large scale cocaine and marijuana distribution.
  - ✓ (b) weight of the evidence - The evidence is strong, and includes intercepted telephone calls, surveillance and large drug and currency seizures in Michigan, Arizona and Illinois.
  - ✓ (c) history and characteristics of the defendant - Defendant is a long term resident of this district, and he has substantial family ties. He claims minimal assets and marginal employment, despite the fact that millions of dollars have been seized during the investigation. There is reason to believe that he has not resided at the address reported to Pretrial Services.
    - 1) physical and mental condition -
    - 2) employment, financial, family ties -
    - 3) criminal history and record of appearance -
  - (d) probation, parole or bond at time of the alleged offense -
  - ✓ (e) danger to another person or community -

Beyond the strong evidence of large scale drug sales, the defendant has told associates during intercepted calls that he paid for the murder case defense of a friend, and that he paid for a murder. Independent evidence confirms that an associate of the defendant was suspected of second degree murder, and that a witness to that offense was subsequently shot to death. Defendant faces a mandatory 10 year sentence if convicted. He has acquired false identification documents in the past, and he fled the state when the indictment was returned. He did self-surrender, with the help of an attorney. Pretrial Services has reversed its bond recommendation and now recommends detention. I consider defendant to be a danger and a flight risk. I find that the statutory presumption has not been rebutted.

**Part III – Directions Regarding Detention**

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

s/Donald A. Scheer

*Signature of Judge*

Donald A. Scheer, United States Magistrate Judge

*Name and Title of Judge*

Date: February 17, 2010